

4. Removal is proper because there is complete diversity of citizenship between the parties. 28 U.S.C. §1332(a); *Johnson v. Columbia Props. Anchorage, L.P.*, 437 F.3d 894, 899-900 (9th Cir. 2006). Plaintiffs are citizen of the State of Texas, according to their allegations in the

Plaintiffs' Original Petition. Defendant is a citizen of the State of North Carolina. Specifically, his permanent residence is 205 Stoneybrook Drive, Swansboro, North Carolina 28584. Additionally, the amount in controversy exceeds \$75,000, excluding interest and costs (See Paragraph I of Plaintiffs' Original Petition where they are seeking damages in excess of \$1,000,000). 28 U.S.C. §1332(a).

5. Copies of all pleadings, process, orders, and other filings in the state-court suit are attached to this notice as required by 28 U.S.C. §1446(a) see **Exhibit "A"**.

6. Defendant will promptly file a copy of this notice of removal with the clerk of the state court where the suit has been pending.

#### **C. JURY DEMAND**

7. Plaintiff did demand a jury in the state court suit.

#### **D. CONCLUSION**

8. There is complete diversity between the parties, and Defendant is a citizen of a state other than Texas. Additionally, the amount in controversy exceeds \$75,000. For these reasons, Defendant asks the Court to remove the suit to the United States District Court for the Western District of Texas, San Antonio Division.

Respectfully submitted,

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BY: /s/ ERIC FREEMYER

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ATTORNEYS FOR DEFENDANT

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this instrument has been forwarded, in accordance with the Texas Rules of Civil Procedure, to:

Ms. Negin Roberts  
BEGUM LAW GROUP  
5826 IH 10 West  
San Antonio, Texas 78201  
[SALegal@begumlawgroup.com](mailto:SALegal@begumlawgroup.com)

on this the 14<sup>th</sup> day of August 2020.

/s/ ERIC FREEMYER

ERIC T. FREEMYER

### **CERTIFICATE OF CONFERENCE**

Pursuant to Local Rule 7.1(a)(3)(B), I hereby certify that counsel for the movant has made reasonable efforts to confer with all parties who may be affected by the relief sought in this Notice of Removal but has been unable to do so. The reasonable efforts made were specifically by email to Plaintiff counsel.

/s/ ERIC FREEMYER

ERIC T. FREEMYER